

# Monthly Report on Consumer Complaint Activity



**October 2009**

*Garry A. Brown, Chairman*

*Sandra S. Sloane, Director  
Office of Consumer Services*

*November 6, 2009*



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November 6, 2009

Dear Readers:

The Office of Consumer Services closely monitors the number and types of complaints received against all utilities operating in New York State. We strive to ensure that utilities fulfill their obligation to provide effective customer service in compliance with the laws, rules, regulations and policies we enforce.

Each month, this report provides an overview of complaint activity and utility responsiveness during the preceding month which is informative to both consumers and utility companies. Specific details regarding the way we measure the companies' activities are described in the section How Utility Complaint Data Is Reported.

The table titled Complaint Activity of New York's Major Utilities reports on the volume of complaints received against the largest utilities in each industry while the table titled Customer Service Response Index reports on the level of customer service and responsiveness delivered by each service provider under the Commission's jurisdiction.

The chart, Credit Adjustments Received for Consumers, reflects the amount of refunds or credits customers received as a result of our investigations. The Office of Consumer Services also monitors complaints against the competitive energy service companies (ESCO's) operating in New York. These complaints are reported in two tables; Number of Initial Complaints Received Against ESCO's and Number of Escalated Complaints Received Against ESCO's.

I hope this report is helpful in providing you with a summary of utility complaint activity. If you have any questions, please e-mail [Barry\\_Bedrosian@dps.state.ny.us](mailto:Barry_Bedrosian@dps.state.ny.us).

Sincerely,

A handwritten signature in black ink that reads "Sandra S. Sloane".

Sandra S. Sloane  
Director  
Office of Consumer Services



# If You Have a Complaint About Your Utility Service

*If you're having difficulty resolving a dispute with your regulated energy, telephone, cable television or water company, the Public Service Commission staff is available to assist you.*

The Office of Consumer Services takes all utility consumer complaints seriously. You can contact us toll-free by telephone, in writing or via the Internet. When you contact our office with a complaint about a utility or other service provider, we take immediate steps to address your concerns.

After we complete entering the details of your complaint we send your complaint to the utility by e-mail or fax. In an effort to ensure that utilities fulfill their obligation to provide effective customer service, we will first ask your utility to contact you and resolve your concern. If your complaint is related to the provision of service, your utility should contact you within two business hours. If your complaint is related to billing or another matter, the utility should contact you by the close of the following business day.

If the utility does not contact you with its initial acknowledgement, does not provide its response to you within two weeks or the matter remains unresolved after you have received a response, you can contact us. We will then further investigate the matter and notify you in writing or by telephone of the decision and the reasons for the decision.

If you believe the initial decision is wrong, you can request an informal hearing. This request may be in writing and made within 15 days of the initial decision. You may be asked to submit certain documents to support your position. If you and the utility are unable to settle the complaint, the hearing officer will make a decision on your complaint and notify you in writing of the decision.

If you believe that the informal hearing officer's decision was wrong, you can appeal it within 15 days of the decision to the Public Service Commission. Your appeal must be in writing and must contend that there was an error made by the hearing officer that affected the decision or that evidence not previously available would affect the decision. The Commission will make a decision on the appeal and notify you in writing of their decision.

If you have a complaint about your utility service you may contact us thru one of the following avenues:

<b>By Telephone</b>	Monday thru Friday 8:30am – 4:00pm	800-342-3377
<b>Via the Internet</b>	24 hours a day	<a href="http://www.dps.state.ny.us">www.dps.state.ny.us</a> <i>Click the Consumer Assistance Link</i>
<b>In Writing</b>	Please be sure to include as much detail as possible, including your account number, service address, telephone number and the specifics of your complaint.	NYS Public Service Commission Office of Consumer Services Three Empire State Plaza Albany, NY 12223-1350



# How Utility Complaint Data is Reported

*The Office of Consumer Services reports complaint data by volume and by responsiveness. A complaint rate is used to compare small utilities to large utilities. A response index is used to measure how well utilities address consumer complaints we forwarded to them.*

The Office of Consumer Services closely monitors the number and types of complaints received against all utilities operating in New York State. We expect utility companies to be highly responsive to their customers' needs, especially when the customer feels that it is necessary to seek the assistance of the Public Service Commission staff. Each month, this report provides an overview of complaint activity and utility responsiveness which we believe is informative to both consumers and utility companies.

The table titled **Complaint Activity of New York's Major Utilities** reports on the volume of complaints received against the largest utilities in each industry. These utility companies vary in size from just over 10,000 customers to several million customers. Therefore, in order to compare complaint volumes among companies, a complaint rate per 100,000 customers is displayed. This allows the reader to compare the complaints of a large company to that of a small company.

There are two measures of complaints which are reported each month. At first all complaints are recorded and forwarded to the utility for resolution directly with the customer. These are noted as initial complaints (QRS) in the table titled **Complaint Activity of New York's Major Utilities**. If the customer informs us that the utility failed to satisfy their complaint the matter is escalated for further handling and investigation by staff and is noted as escalated complaints (SRS). Both numbers are converted into a complaint rate which allows the reader to compare performance regardless of the size of a company's customer base. The escalation rate is a measure of how successful a utility is in satisfying their customer upon receipt of an initial complaint made through the Office of Consumer Services. The 12 month complaint rate is often used as one of several customer service measures that may be taken into consideration when staff monitors the quality of customer service delivered by an individual utility. This rate represents the average number of escalated complaints received per month per 100,000 customer accounts.

The table titled **Customer Service Response Index (CSRI)** reports on the level of customer service and responsiveness delivered by each service provider under the Commission's jurisdiction. The Customer Service Response Index is determined by measuring four metrics. Complete CSRI data is posted on the first page of the report for those service providers that average ten or more initial complaints per month. For all other service providers, the performance in each area is reported on subsequent pages of the table, less the actual index measures because the index measures for companies with fewer than ten initial complaints have been found to show significant fluctuations on a month to month basis. These fluctuations may result in the reader reaching an inaccurate conclusion as to a service provider's performance. If a company is not listed in a particular monthly report it is because there was no activity for the company in the reporting month.

The **Index** is determined by measuring four metrics:

*The Consumer Satisfaction Metric (CSM)* is a ratio of the number of initial complaints to the number of escalated complaints in the reporting month. A score of 5 points are awarded when a service provider receives no initial complaints during the reporting month. There is no score awarded if a service provider satisfies less than 50% of the customers that the PSC refers to them.

*The Complaint Response Time Metric (CRM)* is the average number of days it took the service provider to respond to initial complaints closed in the reporting month. A score of 2 points is awarded when a provider's average response time for initial complaints is 14 days or less. No points are earned if the average response time for initial complaints is more than 28 days (twice the acceptable reply standard).

*The Escalated Complaint Response Time Metric (ERM)* is the average number of days it took the service provider to respond to escalated complaints closed in the reporting month. A score of 2 points is awarded when a service provider's average response time for escalated complaints is 10 days or less. No points are earned if the average response time for escalated complaints is more than 25 days (two weeks past due).

*The Pending Case Metric (PCM)* is the average age of all cases awaiting response, determined on the last day of the reporting month. A score of 1 point is awarded when a service providers' average age of all cases is 14 days or less. No points are earned if the average age of all cases exceeds 70 days (two months delinquent). A negative score is applied if the average age of all cases is over 70 days.

# COMPLAINT ACTIVITY OF NEW YORK'S MAJOR UTILITIES

October 2009

Utility Companies	Initial Complaints (QRS)		Escalated Complaints (SRS)		Escalation Rate	12 Month Escalated Complaint Rate
	No.	Rate*	No.	Rate*		
Central Hudson	45	15.4	2	0.7	4%	0.4
Con Edison	479	12.5	52	1.4	11%	1.7
National Grid-Long Island	25	4.6	0	0.0	0%	0.5
NYSEG	182	18.7	7	0.7	4%	0.7
National Grid-Upstate	256	15.0	12	0.7	5%	1.0
Orange & Rockland	31	13.9	2	0.9	6%	0.8
RG & E	132	33.0	2	0.5	2%	1.4
National Grid-Metro NY	124	10.4	12	1.0	10%	0.9
National Fuel Gas	128	24.9	3	0.6	2%	0.6
AT&T of New York	28		8		29%	
Citizens Telecommunications of NY	12	5.2	1	0.4	8%	0.8
Frontier Communications of NY	2	4.0	0	0.0	0%	1.0
Frontier Telephone of Rochester	10	3.6	1	0.4	10%	1.0
Optimum Voice	7		0		0%	
Time Warner Res-Com	10		4		40%	
Windstream Communications	0	0.0	0	0.0	#DIV/0!	0.0
Verizon	300	4.4	56	0.8	19%	0.7
Cablevision Systems	45		7		16%	
Time-Warner Cable	98		23		23%	
United Water - Westchester	0	0.0	0	0.0	#DIV/0!	0.0
Long Island Water	6	8.2	1	1.4	17%	1.3
Aqua NY fka New York Water	1	2.3	0	0.0	0%	2.4
United Water - New Rochelle	3	9.6	2	6.4	67%	1.9
United Water - New York	9	12.8	1	1.4	11%	1.2

All complaint rates are initially based on Dec. 2008 customer populations. Updates occur in April.

\* - Complaints per 100,000 customer accounts where populations are reported by the utility

This table reports on the volume of complaints received against the largest utilities in each industry.

**Initial Complaints (QRS)** - This is the number (No.) of complaints we receive and forward to the utility company for resolution directly with the customer and the corresponding complaint rate (Rate) per 100,000 customer accounts.

**Escalated Complaints (SRS)** - This is the number (No.) of complaints that we escalated for further handling and investigation because the customer informed us that the utility failed to satisfy their initial complaint after we forwarded the initial complaint to the utility. The corresponding escalated complaint rate (Rate) per 100,000 customer accounts allows the reader to compare one utility to another regardless of the number of customer accounts.

**Escalation Rate** - This is a measure of how successful a utility is in satisfying their customer upon receipt of an initial complaint made through the Office of Consumer Services. The lower the rate the more successful the utility was in resolving initial complaints directly with the customer.

**12 Month Escalated Complaint Rate** - This rate represents the average number of escalated complaints received per month per 100,000 customer accounts. This is often used as one of several customer service measures that may be taken into consideration when staff monitors the quality of customer service delivered by an individual utility.

## Customer Service Response Index October 2009

<b>Service Provider</b>	<b>Initial Complaints</b>	<b>Escalated Complaints</b>	<b>CSM Index</b>	<b>Complaint Response Time</b>	<b>CRM Index</b>	<b>E. Complaint Response Time</b>	<b>ERM Index</b>	<b>Avg. Age of Cases Pending</b>	<b>PCM Index</b>	<b>CSRI</b>
National Grid - L I	25	0	5.0	3.1	2.0	7.8	2.0	5.3	1.0	10.0
U.S. Energy Savings Corp	23	0	5.0	13.4	2.0	0.0	2.0	7.9	1.0	10.0
Rochester Gas & Electric Corp.	132	2	4.8	3.8	2.0	3.7	2.0	6.5	1.0	9.8
National Fuel Gas Distribution	128	3	4.8	2.5	2.0	6.9	2.0	2.0	1.0	9.8
New York State Electric & Gas Corp.	182	7	4.6	2.6	2.0	4.9	2.0	7.1	1.0	9.6
Central Hudson Gas & Electric Corp.	45	2	4.6	4.7	2.0	5.4	2.0	6.6	1.0	9.6
National Grid - Upstate	256	12	4.5	4.1	2.0	6.1	2.0	8.4	1.0	9.5
Orange & Rockland	31	2	4.4	9.0	2.0	2.5	2.0	7.2	1.0	9.4
Citizens Communications (ILEC)	12	1	4.2	4.5	2.0	3.9	2.0	17.3	0.9	9.1
Frontier Telephone of Rochester, Inc.	10	1	4.0	8.6	2.0	1.1	2.0	2.5	1.0	9.0
National Grid - Metro Ny	124	12	4.0	2.7	2.0	8.8	2.0	22.1	0.8	8.8
Verizon Communications (LEC)	300	56	3.1	10.8	2.0	9.0	2.0	9.6	1.0	8.1
Cablevision of New York City	12	2	3.3	13.7	2.0	12.1	1.8	9.2	1.0	8.1
Broadview Networks	10	2	3.0	6.8	2.0	5.4	2.0	3.0	1.0	8.0
AT&T (C)	28	8	2.1	8.1	2.0	3.1	2.0	0.0	1.0	7.1
IDT America, Corp.	10	3	2.0	4.4	2.0	0.0	2.0	8.0	1.0	7.0
Con Edison of New York	479	52	3.9	7.7	2.0	46.7	0.0	20.1	0.8	6.7
Time Warner - New York City Division	78	20	2.4	14.7	1.9	18.3	1.2	17.9	0.9	6.4
Hudson Energy Services, LLC	12	4	1.7	8.1	2.0	14.5	1.6	17.0	0.9	6.2
Time Warner ResCom of New York,LLC	10	4	1.0	11.1	2.0	0.0	2.0	10.2	1.0	6.0

*This table reports on the current level of customer service and responsiveness delivered by each service provider under the Commission's jurisdiction. The Customer Service Response Index is determined by measuring four metrics. Complete CSRI data is posted on the first page of the report for those service providers that average ten or more initial complaints per month. For all other service providers, the performance in each area is reported on subsequent pages of the table, less the actual index measures because the index measures for companies with fewer than ten initial complaints have been found to show significant fluctuations on a month to month basis. These fluctuations may result in the reader reaching an inaccurate conclusion as to a service provider's performance. If a company is not listed on this report it is because there was no activity for the company in the reporting month. Below is an explanation of the data in each column.*

**Initial Complaints** - This is the number of initial complaints we receive and forward to the utility company for resolution directly with the customer.

**Escalated Complaints** - This is the number of complaints that we escalated for further handling and investigation because the customer informed us that the utility failed to satisfy their initial complaint after we forwarded the initial complaint to the utility.

**CSM Index** - The Consumer Satisfaction Index scores the ratio of the number of initial complaints to the number of escalated complaints in the reporting month. A score of 5 points are awarded when a service provider receives no escalated complaints during the reporting month. There is no score awarded if a service provider satisfies less than 50% of the customers that the PSC refers to them.

**Complaint Response Time** - This is the average number of days it took for a utility to respond to initial complaints in the reporting month.

**CRM Index** - The Complaint Response Time Index scores the service providers responsiveness to initial complaints closed in the reporting month. A score of 2 points is awarded when a provider's average response time for initial complaints is 14 days or less. No points are earned if the average response time for initial complaints is more than 28 days (twice the acceptable reply standard).

**E. Complaint Response Time** - This is the average number of days it took for a utility to respond to escalated complaints in the reporting month.

**ERM Index** - The Escalated Complaint Response Time Index scores the service providers responsiveness to escalated complaints closed in the reporting month. A score of 2 points is awarded when a provider's average response time for escalated complaints is 10 days or less. No points are earned if the average response time for escalated complaints is more than 25 days (two weeks past due).

**Avg. Age of Cases Pending** - This is the average age of all the cases awaiting a response from the service provider.

**PCM Index** - The Pending Case Index scores the average age of all cases awaiting response by the service provider. A score of 1 point is awarded when a service providers' average age of all cases is 14 days or less. No points are earned if the average age of all cases exceeds 70 days (two months delinquent). A negative score is applied if the average age of all cases is over 70 days.

**CSRI** - The Customer Service Response Index is the overall score received by the service provider. It is the sum of the four indices.

## Customer Service Response Index October 2009

<b>Service Provider</b>	<b>Initial Complaints</b>	<b>Escalated Complaints</b>	<b>CSM Index</b>	<b>Complaint Response Time</b>	<b>CRM Index</b>	<b>E. Complaint Response Time</b>	<b>ERM Index</b>	<b>Avg. Age of Cases Pending</b>	<b>PCM Index</b>	<b>CSRI</b>
Accent Energy Midwest, LLC	5	2		47.4		8.3		6.0		
ACN Communication Services, Inc.	2	1		14.0		0.0		0.0		
Agway Energy Services, LLC.	1	0		0.0		0.0		4.0		
Ambit Energy	4	1		6.0		0.0		5.5		
Americatel Corporation	0	0		41.0		0.0		0.0		
Aqua Ny	1	0		3.0		58.8		0.0		
Avalon On The Sound East	0	0		0.0		0.0		5.0		
Berkshire Telephone Corp.	2	0		6.0		0.0		0.0		
BluCo Energy, LLC	0	0		63.0		0.0		13.0		
C&C Affordable Management LLC	0	0		0.0		0.0		3.0		
Cablevision of Brookhaven	2	0		0.0		0.0		3.0		
Cablevision of Dutchess County	2	1		19.0		0.0		4.5		
Cablevision of Hauppauge	1	0		5.0		0.0		0.0		
Cablevision of Long Island	9	1		9.0		0.0		5.0		
Cablevision of Rockland	0	1		18.0		7.0		0.0		
Cablevision of Rockland/Ramapo, Inc.	1	1		6.0		1.1		0.0		
Cablevision of Westchester	4	1		12.4		0.0		0.0		
Capitol Green Apartments	0	0		0.0		31.0		0.0		
Charter Comm. - Plattsburgh	1	0		1.0		0.0		0.0		
Charter Communications	1	0		5.0		0.0		0.0		
Choice One Communications of New Yc	1	1		15.0		0.0		34.0		
City of Jamestown Board of Public Utiliti	4	0		0.2		0.0		0.0		
City of Salamanca Electric	1	0		2.0		0.0		0.0		
Clearview Energy, Inc.	1	1		30.0		0.0		21.5		
Clinton Hills Owners Corp	0	0		0.0		0.0		24.0		
Columbia Utilities Power, Llc (electric)	1	0		0.0		0.0		2.0		
Columbia Utilities Power, Llc (gas)	1	0		0.0		0.0		0.0		
Comcast Cable of New York - CATV	4	0		21.3		0.0		6.3		
Comcast Cable Of New York - Lec	0	0		22.7		0.0		0.0		
Common Ground	0	0		0.0		13.0		0.0		
Con Edison Solutions	2	0		1.0		0.0		2.0		
Cordia Communications Corp	5	2		5.8		0.0		12.0		
CornerStone Telephone Company, LLC	0	0		0.0		9.9		0.0		
Corning Natural Gas Corp.	4	0		4.2		0.0		3.0		
Covista Communications, Inc.	2	0		2.0		0.0		30.7		
Crystal Water Supply Company, Inc.	0	1		44.2		0.0		17.0		
CTC Communications Corp.	6	0		9.0		0.0		37.2		
DFT Local Service Corporation d/b/a DF	1	0		12.0		0.0		0.0		
Direct Energy Services LLC	3	0		4.0		0.0		6.0		
Dominion Retail, Inc.	0	0		13.0		0.0		0.0		
Empire One Telecommunications, Inc.	0	0		0.0		0.0		38.0		
Energetix, Inc.	1	0		1.0		0.0		0.0		
Energy Plus Holdings LLC	3	0		2.3		0.0		0.0		
Energy Service Providers, Inc.	1	0		11.0		0.0		0.0		
Friedlander Water Supply	0	0		0.0		0.0		51.0		
Frontier Communications of NY/fka High	2	0		0.2		4.7		11.0		
Frontier Communications of Rochester,	1	0		0.0		0.0		0.0		
Frontier Communications of Seneca-Goi	1	1		17.0		1.0		0.0		
Frontier Communications of Sylvan Lake	2	0		2.3		0.0		0.0		
Gateway Energy Services Corp.	1	1		15.7		0.0		0.0		
Global Tel*Link Corporation	1	0		13.0		0.0		0.0		
Grenadier Realty Corp	0	0		0.0		0.0		60.0		
Heritage Springs Water Works, Inc.	0	0		0.0		0.0		0.0		
IDT Energy, Inc.	5	0		0.5		0.0		0.0		
ILD Telecommunications, Inc.	2	0		0.0		0.0		5.5		
Infinite Energy, Inc.	1	1		13.5		0.0		10.5		
Jack Parker Corporation	0	0		0.0		0.0		34.9		
Kiamesha Artesian Spring Water Co., In	0	0		0.0		0.0		30.0		
Knolls Water Co.	2	0		4.0		0.0		0.0		
Lana Cooperative Apartments	0	0		0.0		0.0		23.0		
Liberty Power Corp.	1	0		7.2		5.0		3.0		
Long Island Water Corp	6	1		7.0		0.0		2.0		
Major Energy Services LLC	2	0		1.3		0.0		0.0		
Master Call Communications, Inc.	0	1		0.0		0.0		24.0		
Matrix Telecom, Inc.	0	1		21.0		0.0		23.0		
MCI	6	2		18.2		14.1		6.5		
Megapath Networks	0	0		0.0		0.0		44.0		
Metropolitan Telecommunications	1	2		19.5		0.0		17.0		
Mid Hudson Cablevision, Inc.	1	0		7.0		0.0		0.0		
MXenergy	5	2		24.0		0.0		10.7		
N.E.A. Cross of N.Y. Inc.	1	1		5.0		0.0		25.0		

## Customer Service Response Index October 2009

<i>Service Provider</i>	<i>Initial Complaints</i>	<i>Escalated Complaints</i>	<i>CSM Index</i>	<i>Complaint Response Time</i>	<i>CRM Index</i>	<i>E. Complaint Response Time</i>	<i>ERM Index</i>	<i>Avg. Age of Cases Pending</i>	<i>PCM Index</i>	<i>CSRI</i>
Next Gen Telephone Co.	1	0		5.0		0.0		0.0		
Online Savings, Inc.	0	0		14.0		0.0		0.0		
Optimum Voice	7	0		12.0		0.0		18.0		
Orchard Hill Water Co.	0	0		0.0		0.0		17.0		
PAETEC Communications, Inc.	2	0		12.7		0.0		0.0		
Penelec (A First Energy Company)	1	0		0.0		0.0		2.0		
Phipps House Services, Inc	0	0		0.0		0.0		11.0		
Plymouth Rock Energy LLC	4	0		1.3		0.0		2.0		
Pulse Telecom LLC	1	0		0.0		0.0		16.0		
Qtel, LLC	1	0		0.0		0.0		5.0		
Resdntl Comms. Netwrk of NY	3	0		7.3		0.0		0.0		
Roosevelt Island Associates	0	0		0.0		0.0		24.0		
Rural Atlantic Water Co.	1	0		0.0		0.0		6.0		
Spark Energy, L.P.	6	0		12.4		0.0		7.0		
Spectrotel, Inc.	3	2		18.0		0.0		11.5		
St. Lawrence Gas	0	0		9.2		0.0		0.0		
Stellar Management Company	0	0		0.0		13.7		0.0		
Stonehenge Management	0	0		0.0		62.8		0.0		
Taconic Telephone Corp.	5	1		6.4		0.0		0.0		
Talkspan Inc.	1	1		20.5		0.0		5.0		
TeleUno, Inc.	0	0		13.5		0.0		0.0		
Tiffany Mews	0	0		0.0		22.7		12.0		
Time Warner - Albany Division	7	2		7.8		10.2		10.0		
Time Warner - Binghamton	3	1		0.0		0.0		17.0		
Time Warner - Buffalo Division	3	0		2.0		8.7		0.0		
Time Warner - Rochester	3	0		0.0		0.0		15.8		
Time Warner - Syracuse Division	4	0		5.2		0.0		6.0		
Titan Gas, LLC	1	0		5.0		0.0		0.0		
Trinsic	1	1		6.0		0.1		0.0		
Tristate Bell Inc	2	0		0.0		0.0		34.0		
United Telecom, LLC	0	0		156.0		0.0		0.0		
United Water Owego	1	0		14.0		0.0		0.0		
United Water-New Rochelle	3	2		28.6		0.0		7.0		
United Water-New York	9	1		2.6		0.0		15.5		
VarTec Telecom, Inc. dba Clear Choice	1	0		10.0		0.0		0.0		
Verizon Communications (LD)	1	0		12.0		0.0		0.0		
Verizon Communications (PayPhones)	2	0		3.0		0.0		13.0		
Veza Telecom, Inc.	1	0		4.0		0.0		0.0		
Village of Freeport Electric	1	0		12.0		0.0		0.0		
Village of Ilion	1	0		1.0		0.0		0.0		
Wellesley Island Water Corp.	0	0		0.0		0.0		0.0		
Woodhull Municipal Gas Company	1	1		2.0		0.0		2.0		
XChange Telecom	4	1		4.3		0.0		0.0		
XO Communications, Inc.	7	1		5.5		0.0		5.0		
ZTELEPHONY, LLC D/B/A WORLDNET	1	0		0.0		0.0		17.0		

**2009**  
**Credit Adjustments Received**  
**For Consumers**

*As a result of our investigation into consumers' complaints, when staff determines that a consumer was overbilled, the utility is directed to refund to the consumer, any monies it collected above and beyond what was allowed by tariffs, rules and regulations.*

*The chart below identifies the credits obtained on behalf of consumers.*

JAN '09	\$	214,982.94
FEB '09	\$	133,061.32
MAR '09	\$	412,974.01
APR '09	\$	482,377.84
MAY '09	\$	181,789.36
JUNE '09	\$	160,864.19
JULY '09	\$	187,106.27
AUG '09	\$	143,142.45
SEPT '09	\$	177,760.45
OCT '09	\$	103,227.44
NOV '09		
DEC '09		
<b>2009 Total</b>	<b>\$</b>	<b>2,197,286.27</b>

## Number of Initial Complaints Received Against ESCO's

FULL NAME	2008	2009	Dec-09	Nov-09	Oct-09	Sep-09	Aug-09	Jul-09	Jun-09	May-09	Apr-09	Mar-09	Feb-09	Jan-09
Accent Energy Midwest, LLC	214	67			5	2	6	4	4	9	4	9	8	16
ACN Energy, Inc.	2	0			0	0	0	0	0	0	0	0	0	0
Agway Energy Services, LLC	4	6			1	0	2	0	1	1	0	0	0	1
Ambit Energy	82	62			4	0	3	2	7	5	22	7	6	6
Amerada Hess Corp.	1	1			0	0	1	0	0	0	0	0	0	0
Ameristar Energy, LLC	1	0			0	0	0	0	0	0	0	0	0	0
BluCo Energy, LLC	6	10			0	0	0	1	1	1	1	4	1	1
BlueRock Energy, Inc.	1	0			0	0	0	0	0	0	0	0	0	0
Brown's Fuel	2	1			0	0	0	0	0	0	1	0	0	0
Clearview Energy, Inc.	0	4			1	0	3	0	0	0	0	0	0	0
Colonial Energy, Inc.	0	1			0	0	0	0	0	0	1	0	0	0
Columbia Utilities Power, LLC	338	17			1	1	2	0	0	1	4	5	2	1
Columbia Utilities, LLC - gas	50	11			1	0	2	1	1	2	1	1	1	1
Con Edison Solutions	17	9			2	0	2	0	2	1	0	0	2	0
Constellation NewEnergy	0	1			0	0	0	1	0	0	0	0	0	0
Direct Energy Services, LLC	38	48			3	2	4	2	7	3	4	6	5	12
Dominion Retail, Inc.	0	2			0	1	0	0	0	1	0	0	0	0
Energetix, Inc.	3	11			1	0	0	0	2	3	2	2	1	0
Energy Cooperative of New York	1	0			0	0	0	0	0	0	0	0	0	0
Energy Plus Holdings	30	23			3	0	2	0	4	4	2	3	2	3
Energy Service Providers	13	7			1	3	0	0	0	1	1	0	1	0
FFC Energy	0	1			0	0	0	0	0	1	0	0	0	0
Gateway Energy fka Econergy	53	30			1	4	3	7	1	2	4	2	4	2
Great Eastern Energy	6	3			0	0	0	0	2	1	0	0	0	0
Green Mountain Energy	1	0			0	0	0	0	0	0	0	0	0	0
Hudson Energy Services, LLC	232	167			12	19	12	17	11	16	10	24	20	26
IDT Energy, Inc.	286	131			5	5	6	8	7	13	16	26	24	21
Infinite Energy, Inc.	16	23			1	4	2	0	3	1	4	4	1	3
Integrus Energy Services, Inc.	0	5			0	1	0	1	0	0	0	1	1	1
Interstate Energy Resources Inc.	1	0			0	0	0	0	0	0	0	0	0	0
Interstate Gas Supply of New York	5	15			0	0	0	0	0	1	0	6	8	0
Liberty Power Corp.	105	38			1	0	3	4	5	7	3	5	7	3
Major Energy Services, LLC	26	37			2	2	3	6	6	1	6	3	5	3
MX Energy, Inc.	135	138			5	6	13	11	8	8	13	25	20	29
Natgasco, Inc.	1	1			0	0	0	0	0	0	0	0	1	0
National Fuel Resources, Inc.	1	1			0	0	0	0	0	0	0	1	0	0
NOCO Natural Gas LLC	4	1			0	0	0	0	0	0	0	1	0	0
NYSEG Solutions, Inc.	19	7			0	0	0	2	1	0	0	2	2	0

Not all ESCO's listed above are operating in New York. ESCO's not listed have no complaints for the current year covered by the chart

## Number of Initial Complaints Received Against ESCO's

FULL NAME	2008	2009	2009												
			Dec-09	Nov-09	Oct-09	Sep-09	Aug-09	Jul-09	Jun-09	May-09	Apr-09	Mar-09	Feb-09	Jan-09	
Plymouth Rock Energy, LLC	11	10			4	1	0	0	0	0	1	1	2	1	0
Pro-Energy Marketing, LLC	1	0			0	0	0	0	0	0	0	0	0	0	0
Robison Energy of Westchest	0	0			0	0	0	0	0	0	0	0	0	0	0
S.J. Fuel Co., Inc.	4	2			0	1	0	0	0	0	0	0	1	0	0
Spark Energy, L.P.	255	115			6	6	4	10	8	6	19	23	12	21	
Strategic Energy, LLC	6	0			0	0	0	0	0	0	0	0	0	0	
Stuyvesant Energy, LLC	1	1			0	0	0	0	0	0	0	0	1	0	
Suez Energy Resources Na, I	0	3			0	0	0	0	1	0	1	0	0	1	
Titan Gas, LLC	12	18			1	1	0	3	1	1	6	1	3	1	
U.S. Energy Savings Corp.	209	220			23	22	18	11	21	25	29	23	23	25	
U.S. Gas & Electric, Inc.	40	65			0	1	4	1	2	3	9	8	21	16	
Vectren Retail, LLC	5	12			0	0	2	2	1	4	2	1	0	0	
Wholesale Energy New York,	0	4			0	0	1	0	0	0	0	2	0	1	
<b>Total</b>	<b>2238</b>	<b>1329</b>	<b>0</b>	<b>0</b>	<b>84</b>	<b>82</b>	<b>98</b>	<b>94</b>	<b>107</b>	<b>123</b>	<b>166</b>	<b>198</b>	<b>183</b>	<b>194</b>	

## Number of Escalated Complaints Received Against ESCO's

FULL NAME	2008	2009	Dec-09	Nov-09	Oct-09	Sep-09	Aug-09	Jul-09	Jun-09	May-09	Apr-09	Mar-09	Feb-09	Jan-09
Accent Energy Midwest, LLC	40	19			2	1	0	0	4	1	0	3	3	5
ACN Energy, Inc.	0	0			0	0	0	0	0	0	0	0	0	0
Agway Energy Services, LLC	1	0			0	0	0	0	0	0	0	0	0	0
Ambit Energy	12	11			1	0	0	0	1	1	3	3	2	0
BluCo Energy, LLC	2	2			0	0	0	1	1	0	0	0	0	0
Brown's Fuel	0	0			0	0	0	0	0	0	0	0	0	0
Clearview Energy, Inc.	0	4			1	1	1	1	0	0	0	0	0	0
Columbia Utilities Power, LLC - elec	58	4			0	0	0	0	0	1	1	1	0	1
Columbia Utilities, LLC - gas	9	0			0	0	0	0	0	0	0	0	0	0
Con Edison Solutions	4	1			0	0	1	0	0	0	0	0	0	0
Direct Energy Services, LLC	3	5			0	0	0	1	1	0	1	0	0	2
Energetix, Inc.	0	0			0	0	0	0	0	0	0	0	0	0
Energy Plus Holdings, LLC	3	0			0	0	0	0	0	0	0	0	0	0
Energy Service Providers	3	1			0	0	0	0	0	0	1	0	0	0
FFC Energy	0	0			0	0	0	0	0	0	0	0	0	0
Gateway Energy fka Econergy	16	7			1	1	1	2	1	0	0	0	0	1
Great Eastern Energy	0	1			0	0	0	0	1	0	0	0	0	0
Green Mountain Energy	1	0			0	0	0	0	0	0	0	0	0	0
Hudson Energy Services, LLC.	70	67			4	9	4	2	7	6	5	9	14	7
IDT Energy, Inc.	36	14			0	0	0	1	3	2	1	1	3	3
Infinite Energy, Inc.	4	3			1	0	0	0	0	0	1	0	0	1
Interstate Gas Supply of New York, I	0	5			0	0	0	0	0	0	1	2	2	0
Liberty Power Corp.	25	14			0	0	2	1	2	1	2	0	3	3
Major Energy Services LLC	1	9			0	1	1	0	3	0	1	0	2	1
MX Energy, Inc.	59	48			2	1	4	6	2	0	7	11	8	7
Natgasco, Inc.	0	1			0	0	0	0	0	0	0	0	1	0
National Fuel Resources, Inc.	3	0			0	0	0	0	0	0	0	0	0	0
NOCO Natural Gas LLC	0	0			0	0	0	0	0	0	0	0	0	0
NYSEG Solutions, Inc.	1	0			0	0	0	0	0	0	0	0	0	0
Plymouth Rock	2	0			0	0	0	0	0	0	0	0	0	0
S.J. Fuel Co., Inc.	6	0			0	0	0	0	0	0	0	0	0	0
Spark Energy, L.P.	47	20			0	0	0	1	3	5	4	2	1	4
Strategic Energy, LLC	1	0			0	0	0	0	0	0	0	0	0	0
Stuyvesant Energy, LLC	0	0			0	0	0	0	0	0	0	0	0	0
Titan Gas, LLC	0	4			0	0	0	0	2	0	2	0	0	0
U.S. Energy Savings Corp.	20	33			0	2	1	0	3	7	7	4	5	4
U.S. Gas & Electric, Inc.	8	6			0	0	1	0	0	1	0	0	4	0
Vectren Retail, LLC	0	2			0	0	0	0	1	1	0	0	0	0
Wholesale Energy New York, Inc.	0	3			0	0	0	0	3	0	0	0	0	0
Total	435	284	0	0	12	16	16	16	38	26	37	36	48	39

Not all ESCO's listed above are currently operating in New York. ESCO's not listed have no escalated complaints for the period covered by the chart.